

PLANNING COMMISSION MINUTES
MAY 2, 1995

Present: Chairman Mike Holmes, Dick Drescher, Mark Green, Lois Williams, Don Milligan, Dean Jolley; Barbara Holt, City Council Representative; Jack Balling, City Engineer; Connie Feil, Recording Secretary.

Absent: Vice-Chairman Elaine McKay, Ken Cutler; Blaine Gehring, Planning Director.

Minutes for April 18, 1994 were presented and unanimously approved as written on a motion made by Mark Green and seconded by Dick Drescher.

Subdivisions

1. Consider preliminary and final approval for a lot split for Jake's Glass at 640 S. 500 W.

Mr. John Jacobson, owner of Jake's Glass, was present. Jack Balling presented the preliminary and final approval for a lot split for Jake's Glass. Mr. Balling explained that Mr. Jacobson is interested in dividing his property into 3 separate parcels. Parcel A & B will be in the boundaries of Bountiful. The third, parcel C, will be within the boundaries of Woods Cross. The purpose of the lot division is to divide off the warehouse and the surrounding land is to be sold to a business which will operate handicap buses for the UTA. The law states that anytime you divide property into two or more parcels of ground it must be approved by the Planning Commission. The Staff has no problems with dividing the property which will be within Bountiful's City Limits. The Staff recommends approval of the lot split with the condition that a final certified survey is prepared and a copy finished to the city and a copy recorded with the David County Surveyors Office as required by law.

Mark Green made a motion for preliminary and final approval for a lot split for Jake's Glass at 640 S. 500 W. with the conditions recommended by the Staff. Lois Williams seconded the motion and voting was unanimous.

2. Consider preliminary and final approval for Eastpointe P.U.D. at approximately 712 W. 3100 S. (a portion of the entrance street lies in Bountiful City).

Jack Balling explained that this P.U.D. is in North Salt Lake and not in Bountiful. About one year ago North Salt Lake came to Bountiful wanting to develop this P.U.D. The road coming off 3100 S. comes across a small portion of Bountiful City. North Salt Lake came to the City and asked if Bountiful would allow them to have frontage on the street. The Staff saw no problem with giving them access on the street providing they took care of the curb returns and the drainage across the entrance. These things have been done. Now they are ready to record the P.U.D. In order for North Salt Lake to have this P.U.D. recorded Bountiful City needs to give approval of the small portion that is in Bountiful. The subdivider has purchased the ground, it has been dedicated for the entrance and it is on the plat. The Planning Commission and City Council

need to sign the plat to allow the P.U.D. to be recorded. The Staff recommends approval to send to the City Council for preliminary and final approval for the entrance of Eastpointe P.U.D. at approximately 712 W. 3100 S.

Dean Jolley made a motion to recommend to the City Council for preliminary and final approval for that portion of the entrance for Eastpointe P.U.D. that lies in Bountiful City limits.

Ordinance Amendments

Consider amending Section 14-14-106 regarding flag lots

Jack Balling presented the revision of the Flag Lot Provision. Mr. Balling mentioned that the memorandum which Blaine prepared explained the reason for the revision. With last week's approval of the two duplexes on a flag lot it has caused some concerns. When Mrs. Bryson was approved for this flag lot she said there would be only one home built. It was the City's intention to build a single home on this flag lot. The Planned Dwelling Group allowed for a second single-family home to be placed on a lot in a single-family zone which was large enough to qualify in size for two dwellings. The major provision was that it would have to remain in single ownership and not be divided. The Planning Dwelling Group approvals which built later ignored that provision and divided their properties anyway. This flag lot was large enough to be approved for duplexes and at the time it was approved we did not have the necessary protections in the State statutes to stop it. This has created some dangerous situations for the fire protection with a couple of the homes beyond 200 feet back from the street with only a 10 to 12 foot access drive back to them. Mr. Gehring and Mr. Balling feel that by properly reviewing the flag lots this will avoid dangerous situations in the future. The flag lot provision is designed to be used for single family dwellings only and not intended to create such lots for multiple family development. The Staff recommends the following amendment to Section 14-14-106 to better clarify that position:

1414106 FLAG LOTS PERMITTED

Where it can be demonstrated that there is no other feasible or practical use of the subject property, both singularly or in combination with other adjacent properties similarly situated, flag shaped lots for single family dwellings may be created in any residential zone by conditional use permit if all of the following requirements are met:

1. Flag lots may be used for single family residential purposes only, regardless of the zone in which it is located.

~~24~~ The lot has at least thirty (30) feet of frontage on a dedicated public street, which frontage serves as access only to the subject lot or parcel.

~~32~~ Two (2) flag lot access staffs, but no more than two (2), may be located adjacent to one another. In such cases, each access:

a. shall be a minimum of twenty-five (25) feet.

b. shall provide for a paved driveway in each access staff at a width required by the Bountiful Fire Chief.

c. may share a common curb cut access.

~~43~~ The access strip or staff portion of the lot is at least the minimum width required in 1 or 2 above, is not more than two hundred (200) feet in length, and represents no more than fifteen (15) percent of the total lot area in R-1-12(F) Zones and twenty (20) percent of the total lot area in all other residential zones.

~~54~~ The body or flag portion of the lot meet the lot area and lot width requirements for single family dwellings of the zone in which it is located.

~~65~~ The front lot line of a flag lot shall be deemed to be that lot line of the flag portion of the lot nearest to the dedicated street upon which the staff portion fronts.

~~76~~ All required yard setbacks for single family dwellings shall apply to the flag portion of the lot as per the zone in which the lot is located.

A discussion was made between Mr. Balling and the Planning Commission members on the modification and clarification to the flag lot Chapter 14. The changes will clarify that only single family dwellings will be allowed on a flag lot. A flag lot will not be approved then used for commercial use for multiple family.

Mark Green made a motion to recommend to the City Council for approval of the amendment to the Flag Lot Provision in Section 14-14-106 written by staff. Dick Drescher seconded the motion and voting was unanimous.

Meeting adjourned at 7:45 p.m.